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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/914,386 07/17/92 GRAWE

J 60831/101

EXAMINER
SPRINGER, D

12M2/0223

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ART UNIT	PAPER NUMBER
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1201

#9

DATE MAILED: 02/23/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 11/15/93 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire one month(s), 2 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-37 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☐ Claims _____ are rejected.

5. ☐ Claims _____ are objected to.

6. ☒ Claims 1-37 are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

FILE

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Claims 1-37 are pending.

Restriction to one of the following inventions is required under 35 USC 121.

Group I Claims 1-4, 16, 17, 35 and 37, directed a two step process for removing contaminants classified in 134/006.

Group II Claims 1 (part) and 5-11, directed to a three step process of removing contaminants, classified in 134/006.

Group III Claims 1 (part) and 12-14, directed to a three step process of removing contamination by first using a step of applying a toxicity mitigating compound, classified in 134/006.

Group IV Claims 1 (part), 18 and 19, directed to a process for accelerating solidification of a solid state matrix after step A, classified in 134/006.

Group V Claims 1 (part) and 20, directed to a process for accelerating solidification of a solid state matrix prior to step A, classified in 134/006.

Group VI Claim 21, directed to a four step process for cleaning a contaminant spill, classified in 134/006.

Group VII Claims 22-26, directed to a detection of contaminants classified in 136/006.

Group VIII Claims 27-30, directed to a process directed to a two step process for mitigating the toxicity of a contaminant classified in 134/006.

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Group IX claims 31 and 32, directed to a process of accelerating the solidification of a liquid classified in ?

Group X Claims 33 and 34, directed to a process for accelerating the solidification of a liquid-state composition by adding silicon fluorides classified in ?

Group XI Claim 35, directed to a 4-step process for removing non-lead containing contaminants classified in 134/006.

The inventions are distinct, each from the other because of the following reasons:

The various processes are distinct since (1) not only are they directed to variations of the same process by putting another step prior to step A and then subsequent to step A for example which constitutes a different sequence of steps (2) but the number of steps and contaminants removed are different in the different inventions and, (3) the Group VIII and Group IX steps are not even directed to contaminant removal processes.

Multiple processes are prima facie evidence of distinctness (note MPEP 806.05(f)) since if the processes are materially different as here a reference for one would not be a reference for any other.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter restriction for examination purposes as indicated is proper.

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Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

A facsimile center has been established in Group 1200, room 3C10. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier numbers for accessing the facsimile machines are (703) 308-4556 or 305-3592.

David B. Springer
DAVID B. SPRINGER
PRIMARY EXAMINER
ART UNIT 1201

SPRINGER:jd
February 09, 1994